



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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COMMISSION

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FEDERAL ENERGY
REGULATORY COMMISSION

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St., N.E.
Room 1A
Washington, DC 20426

ORIGINAL

RE: Docket Nos. CP15-115, Northern Access 2016 Project

Dear Secretary Bose:

The Environmental Protection Agency (EPA) has reviewed the Federal Energy Regulatory Commission's (FERC) Environmental Assessment (EA) on the Northern Access 2016 Project dated July 2016. The National Fuel Gas Supply Corporation (National Fuel) and Empire Pipeline Inc. propose the construction and operation of approximately 97 miles of new 24-inch-diameter pipeline from Sergeant Township, McKean County, Pennsylvania to the Town of Elma, Erie County, New York, a new 22,000 horsepower compressor station in Niagara County, NY, and an additional 5,000 horsepower of compression at an existing compressor station in Erie County, New York. The new pipeline would interconnect with Tennessee Gas Pipeline's 200 Line in Niagara County, New York.

EPA has the following comments on the EA.

1. EPA acknowledges FERC's and the applicant's colocation efforts, and the proposed construction of approximately 69% in existing rights-of-way. This effort has minimized the environmental impacts of the project on several resources.
2. While FERC has recommended that the applicant provide a karst mitigation plan prior to construction, this information should be included in the EA for public review and comment.
3. The applicant has stated that they will "allow forested areas cleared for additional temporary workspace to revert to forested cover." Forest regrowth is difficult given the incursion of invasive plants, and the populations of white tailed deer. EPA recommends that FERC and the applicant discuss appropriate tree replanting with both the Fish and Wildlife Service and the New York State Department of Environmental Conservation.
4. Table B.2 a-1 should be completed with the source water assessment zones or wellhead protection areas crossed by the pipeline in Pennsylvania.
5. The Vegetation cumulative impacts section should include a table that provides the total loss of trees from interior and edge forest that have been lost to the pipelines within the affected counties.

6. The EA includes a helpful discussion of the greenhouse gas (GHG) emissions associated with construction of the project and annual emissions from the operation of the compressor stations, but did not include estimates of GHG emissions from methane leakage along the pipeline or indirect GHG emissions associated with the production and combustion of the natural gas brought into production as an indirect effect of this project. FERC also did not disclose measures considered to avoid, minimize, or mitigate for any of these GHG sources, whether estimated or not in the EA.

EPA recommends that for the climate change section of this EA, that FERC follow the approach outlined by the Council on Environmental Quality's (CEQ's) August 1, 2016 Final Guidance on the Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA reviews. For example, on the topic of direct and indirect GHG emissions, the CEQ guidance states, "If the direct and indirect GHG emissions can be quantified based on available information, including reasonable projections and assumptions, agencies should consider and disclose the reasonably foreseeable direct and indirect emissions when analyzing the direct and indirect effects of the proposed action." With regard to mitigation, the guidance states, "Agencies should consider the potential for mitigation measures to reduce or mitigate GHG emissions and climate change effects when those measures are reasonable and consistent with achieving the purpose and need for the proposed action." We recommend including these considerations, or at a minimum disclosing why those emissions and potential mitigation measures were not included in the EA.

Thank you for the opportunity to comment. If you have any questions concerning this letter, please contact Lingard Knutson of my staff at (212) 637-3747.

Sincerely yours,



Grace Musumeci, Chief
Environmental Review Section
Sustainability and Multimedia Programs Branch

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